

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	21 Cr. 17 (KPF)
UNITED STATES OF AMERICA,	:	
	:	ORDER
-v-	:	
	:	
Shpendim Haxhaj,	:	
	:	
Defendants.	:	
	:	
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HON. KATHERINE POLK FAILLA, District Judge:

Alain V. Massena, Esq., counsel for Shpendim Haxhaj, who is appointed to represent Mr. Haxhaj under the Criminal Justice Act, 18 U.S.C § 3006A ("CJA"), seeks approval for the use of CJA funds to purchase a laptop for Mr. Haxhaj that will enable this client, who is detained, to review discovery materials produced by the Government. Defense counsel represents that without laptops the defendant will be unable to effectively review the voluminous discovery material that the Government has produced and will produce in this case.

IT IS HEREBY ORDERED that defense counsel's request for CJA funds to purchase a laptop and any subsequent external drives that may be required to provide the defendants with access to the discovery (collectively, the "Electronic Device") for purposes of this defendant's discovery review is granted.

IT IS FURTHER ORDERED that Counsel shall provide the Electronic Device to Mr. Dave Damo of Data Mill, to disable the wireless and printing capabilities of the Electronic Device

and disable any other applications on the computer in a manner acceptable to the facility in which the defendant is lodged. Mr. Damo will send the disabled Electronic Device to the Government to inspect to ensure that the Electronic Device is disabled of applications as required by the facility in which the defendant is detained. The Government will load the discovery onto the Electronic Device, except the Government will not load the discovery that falls under the parties' protective order. The Government will forward the loaded Electronic Device(s) to the appropriate liaison officer at the detention facility where the defendant is detained. Password protection will be loaded onto the Electronic Device(s) to prevent any user from making changes to the Electronic Device(s).

IT IS FURTHER ORDERED that the defendant shall not have access to material which is classified in the parties' protective agreement as "sensitive disclosure materials," except where the review by the defendant is in the presence of counsel and the materials are on the Attorney Drive.

IT IS FURTHER ORDERED that the defendant shall not download the "sensitive disclosure materials" shown to him by his attorney.

IT IS FURTHER ORDERED that the defendant may not use the Electronic Device for any purpose other than reviewing discovery materials produced in this case, for communicating with his CJA

counsel, and for other communications relating to his defense in this case.

IT IS FURTHER ORDERED that no later than the conclusion of the proceedings against the defendant in the District Court, whether through dismissal of the charges against the defendant or the sentencing of the defendant, the defendant shall return the Electronic Device(s) to his counsel, who will promptly provide it to the Administrative Office of the U.S. Courts. If convicted, the defendant may not retain this laptop during any appeal.

Dated: New York, New York
June 1, 2023

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA
United States District Judge